

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES M. CAVALIERI,

Defendant.

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8:11CR60

MEMORANDUM AND ORDER

Before the court is the Findings and Recommendation and Order of United States Magistrate Judge F.A. Gossett, Filing No. [35](#). No objection has been filed to the Findings and Recommendation. Pursuant to [NECrimR 59.2](#) and [28 U.S.C. § 636\(b\)\(1\)](#), the court has conducted a de novo review of the record and adopts the Findings and Recommendation in its entirety.

THEREFORE, IT IS HEREBY ORDERED that:

1. The Findings and Recommendation and Order, Filing No. [35](#), is adopted in its entirety;
2. The defendant's motion to suppress, Filing No. [18](#), is denied in part and granted in part as set forth in the transcript of the hearing (Filing No. [50](#)).

DATED this 25<sup>th</sup> day of August, 2011.

BY THE COURT:

s/ Joseph F. Bataillon  
Chief United States District Judge

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